

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
Tribal Court Room  
7500 Odawa Circle Harbor Springs, MI 49740  
September 13, 2009

Closed Session: yes

Call to Order: Meeting was called to order at: 9:44 a.m.

Opening Ceremony: Marvin Mulholland

Council Present: Legislative Leader Julie Shananaquet, Secretary Regina Gasco Bentley, Treasurer John Bott, Councilor Belinda Bardwell, Councilor Aaron Otto, Councilor Marvin Mulholland, Councilor Rita Shananaquet, Councilor Gerald V. Chingwa

Absent: Councilor Melvin L. Kiogima

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount

Executive Officials and Staff Present: Tribal Chairman Ken Harrington, Vice-Chairman Dexter McNamara, Interim Chief Financial Officer Cheryl Kishigo-Lesky, Gaming Board of Directors: Sheri Patton, Dolly Keway, Fred Kiogima, Judy Pierzynowski, Chairperson Carol McFall and Office Manager Cathy Portman, Casino: Property Operations Barry Laughlin, Director of Finance Scott Cannady, Office of Enterprise Management Chuck Schofield

Guests: Sarah VandeCar, Rose Smalley, Annette VandeCar, Virginia Lewis, Marcia Sutton, Collin Sutton, John Kawegoma, Susan Goddard, Cathy Portman, Alice Yellowbank, Diane Naganashe, Judy Field, Christine Shomin, Melissa Shomin, Marilyn Hume, Pat Denemy, Dakota Shananaquet, Cathy Shomin, Francis Holdorph, Katherine King, Frank King, Lila Bertrum, Henry Rowland,

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Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell to adopt the agenda with additions.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Kiogima)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor R. Shananaquet to approve the minutes of August 23, 2009 with corrections.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Kiogima)

Motion carried.

10:05 a.m. Councilor Kiogima arrived.

Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to approve the minutes of September 12, 2009 with correction.

Vote: 8 - Yes, 0 - No, 1 - Abstained (Councilor Kiogima), 0 - Absent

Motion carried.

Elders Comments: Rose Smalley spoke regarding the Tribal Chairman practices. Sarah VandeCar spoke regarding the Tribal Chairman practices. Judy Field spoke regarding Treasurer Bott and the Casino relationship, the Tribal Chairman Harrington responsibilities and appreciation of Councilor Chingwa's positive efforts. Alice Yellowbank spoke regarding Tribal Council reading legislation prior to passing it, and the Bond Work group appointments. Susan Goddard spoke regarding Indian Preference in Employment. Judy Field spoke regarding the Tribal Chairman forensic audit proposal, the Tribal Chairman's concerns with the Gaming Board of Directors the Casino's ABEL Career Development Program, and Casino Unemployment benefits.

10:50 a.m. Recess called.

11:05 a.m. Meeting resumed.

Motion made by Secretary Gasco Bentley and supported by Councilor Otto to accept Legislative Leader Shananaquet's report with confidential items contained therein.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

11:36 a.m. Public Comment opened: Judy Field complimented Tribal Council on this morning's session, and employee health insurance contributions. John Kawegoma spoke regarding posting of minutes, conflicts of interest with the former Tribal Council, a Constitutional reform convention, Tribal Council volunteering additional time, the Tribal government budget, and the Odawa Trails publication dates. Chris Shomin spoke regarding Indian Preference in Employment, and the election process. Judy Pierzynowski spoke regarding election process changes, forensic audits, and the Bonds. Sue Goddard explained what a forensic audit is. Cathy Shomin spoke regarding Casino Regulatory Department mentorship program, Tribal Social Services, and the Indian Child Welfare Act. Michele LaCount spoke regarding the Indian Child Welfare Protection Act and revision to Waganakising Odawak Statute 2009-004 Child Protection, Dakota Shananaquet spoke regarding the Social Service Department and the Tribal Court.

12:35 p.m. Public Comment closed.

12:38 p.m. Motion made by Secretary Gasco Bentley and supported by Councilor R. Shananaquet to go into closed session for Confidential Business Matters.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

1:46 p.m. Councilor Chingwa left the meeting.

1:47 p.m. Motion made by Councilor R. Shananaquet and supported by Councilor Mulholland to return to open session.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor Chingwa)

Motion carried.

Motion carried.

3:20 p.m. Meeting reconvened. Councilor Chingwa arrived.

3:21 p.m. Public comment opened: no comments.

3:21 p.m. Public comment closed.

Motion made by Councilor R. Shananaquet and supported by Councilor Otto to accept Treasurer Bott's verbal and written report for September 13, 2009.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Chingwa and supported by Councilor Otto to accept Tribal Council Member Chingwa's verbal and written report for September 13, 2009.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Chingwa to adopt Tribal Resolution: To Amend and Replace Tribal Resolution #071209-08 Regarding Tribal Government Budget Revision for Fiscal Year 2009.

Motion dies due to lack of support.

Motion made by Treasurer Bott and supported by Councilor Otto to accept Council R. Shananaquet's Tribal Council Member verbal and written report for September 13, 2009.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Treasurer Bott to accept Councilor Kiogima's Tribal Council Member verbal and written report for September 13, 2009.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

5:13 p.m. Recess called.

5:26 p.m. Meeting reconvened.

Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to accept Councilor Otto's Tribal Council Member verbal report for September 13, 2009.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Otto to accept Legislative Services Attorney Budnick's verbal report for September 13, 2009.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Chingwa and supported by Secretary Gasco Bentley to adopt Tribal Resolution: Approval for Grant Agreement between the Michigan Department of Community Health and the Little Traverse Bay Bands of Odawa Indians - Public Health Preparedness and Response for Bioterrorism, 09-10.

Roll Call Vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-absent, Councilor Otto-abstain, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes,

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Chingwa to adopt Tribal Resolution Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs Water Resources Program Funding Little Traverse Bay Bands of Odawa Indians Natural Resources Department Maple River Management Project.

Roll Call Vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-absent, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes

Motion carried.

Motion made by Councilor Mulholland and supported by Councilor Bardwell to appoint Councilor Kiogima to the Appropriations and Finance Committee.

Motion Withdrawn

Motion made by Secretary Gasco Bentley and supported by Treasurer Bott to appoint Councilor Aaron Otto and Councilor Melvin L. Kiogima to the Appropriations and Finance Committee.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Legislative Leader Julie Shananaquet and supported by Treasurer Bott to appoint Secretary Regina Gasco Bentley, Councilor Belinda Bardwell and Councilor Melvin L. Kiogima to the Land and Reservation Committee.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to place the Burial Grounds Draft Statute, Department of Education and Cultural

Learning Center Draft Statute and Civil Traffic Draft Statute on the Legislative Calendar.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Legislative Leader Julie Shananaquet and supported by Councilor Kiogima to authorize an "Executive/Legislative Team" to assist with the negotiation of the forbearance agreement and the negotiation of the restructuring on the note with the bondholders, provided that any action concerning the bonds or restructuring of debt will be brought back to the Tribal Council by said team for approval prior to the action taken. The Team shall consist of the Legislative Leader, Treasurer, Secretary and Legislative Services Attorney, Tribal Chair and the Tribal Council recommends the following Executive staff be designated by the Executive to be members of the committee: CFO Kishigo Lesky, OCR Director of Finance Cannady, General Counsel Bransky and any other individuals designated by the Executive.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Otto to table the closed session minutes from April 18, 1999 and March 5, 2006 to the next Tribal Council agenda.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

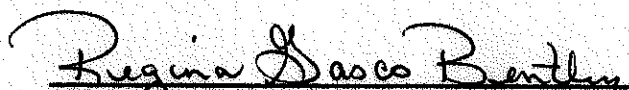
Motion carried.

6:50 p.m. Motion made by Treasurer Bott and supported by Councilor Otto to adjourn.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

These Minutes have been read and approved as written

  
Regina Gasco Bentley, Tribal Council Secretary

9-27-09  
Date